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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER GJ-275J
INTERNATIONAL APPLICATION NO. PCT/GB2004/003009		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/563891
INTERNATIONAL FILING DATE 12 July 2004		PRIORITY DATE 11 July 2003
TITLE OF INVENTION APPARATUS FOR DETERMINING RESPIRATORY MUSCLE ENDURANCE OF A PERSON		
APPLICANT(S) FOR DO/EO/US Lawson et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input type="checkbox"/> The US has been elected (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). <p>Items 11 to 20 below concern document(s) or information</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A preliminary amendment. <input type="checkbox"/> An application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or change of address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/503891		INTERNATIONAL APPLICATION NO. PCT/GB2004/003009		ATTORNEY'S DOCKET NUMBER GJ-275J	
20. <input type="checkbox"/> Other items or information:					
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 All other situations \$200				\$ 200.00	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500				\$ 400.00	
TOTAL OF 21, 22 and 23 =				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	0 /50 =	0	x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	9 - 20 =	0	x \$50.00	\$ 0.00	
Independent	1 - 3 =	0	x \$200.00	\$ 0.00	
Multiple Dependent Claims (if applicable) <input type="checkbox"/>			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 900.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				\$ 900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
TOTAL NATIONAL FEE =				\$ 900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per				+	\$
TOTAL FEES ENCLOSED =				\$ 900.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$

10/563891

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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- a. ☒ A check in the amount of \$900.00 to cover the above fees is enclosed. **APR 20 2006 PTO 09 JAN 2006**
- b. ☐ Please charge my Deposit Account _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 09-0002. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Iandiorio & Teska
260 Bear Hill Road
Waltham, MA 02451


SIGNATURE

Jason D. Shanske

NAME

43,915

REGISTRATION NUMBER

10/563891

LANDIORIO & TESKA
JAN 20 2006 PCT/PTO 09 JAN 2006

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January 9, 2006

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P.O. Box 1450
Alexandria, VA 22313-1450

SUBJECT: APPARATUS FOR DETERMINING RESPIRATORY
MUSCLE ENDURANCE OF A PERSON GJ-275J

Dear Sir:

Enclosed is a patent application for entering U.S. National Stage of processing under 35 USC § 371, including formal papers.

Applicant:	Lawson <i>et al.</i>
International Application No:	PCT/GB2004/003009
International Filing Date:	12 July 2004
Title:	APPARATUS FOR DETERMINING RESPIRATORY MUSCLE ENDURANCE OF A PERSON

Applicant is a large entity.

Applicant hereby claims priority under 35 USC 119, 120, 363, 365, and 37 CFR 1.55, based on PCT Application No. PCT/GB2004/003009 filed on July 12, 2004 which is based from and claims priority to United Kingdom Patent Application No. 0316349.0 filed on July 11, 2003.

The following documents are enclosed:

1. Form PTO-1390 (Transmittal Letter);
2. The Published PCT application;
3. The International Search Report;
4. Written Opinion;
5. Declaration of Inventorship;
6. A Preliminary Amendment; and
7. Information Disclosure Citation.

Pursuant to 37 CFR 1.56, applicant encloses an Information Disclosure Citation citing the four (4) references listed on the International Search Report. Copies of the references are not enclosed as the references are present in the national stage file.

10/563891

IAP20 Rec'd PCT/PTO 09 JAN 2006

A check in the amount of \$900.00 for the filing fee is enclosed. The filing fee is for entering the U.S. National Stage of a PCT application where the U.S. Patent and Trademark Office was neither ISA nor IPEA, and the International Search Report was prepared by the EPO.

If any payment during prosecution is found to be incorrect, please charge any deficiency or credit any overpayment to my Deposit Account 09-0002. A copy of this letter is enclosed for use by the Finance Branch in the event that it is necessary to make any charge or credit to my deposit account.

If for any reason this APPLICATION is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts, (781) 890-5678.

In addition, pursuant to Rule 1.136(a)(3), the office is hereby authorized to treat any future reply requiring an extension of time as incorporating a request therefore. Also, any request or Petition for an Extension of time notwithstanding an inadvertent reference in the Petition to a shorter period of time is to be treated as requesting the appropriate length of time.

Kindly acknowledge receipt of the foregoing by returning the enclosed self-addressed postcard.

Sincerely,

Jason D. Shanske
Reg. No. 43,915

JDS/ok
Enclosures

CERTIFICATE OF EXPRESS MAIL

I hereby certify that the attached correspondence is being deposited with the United States Postal Service, Express Mail Certificate No. EV 627771786 US, on this 9 day of January, 2006 in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, Alexandria, VA 22313-1450.


Olga Kadish